

REMARKS

Upon entry of this amendment, claims 1-6, 10, 14, 15, 19 and 21 are all the claims pending in the application. Claims 7-9, 11-13 and 22 have been canceled by this amendment.

I. Allowable Subject Matter

Applicants thank the Examiner for indicating that claim 13 contains allowable subject matter and would be allowable if rewritten in independent form. By this amendment, Applicants note that the features recited in claim 13 have been substantially incorporated into independent claims 1, 15, 19 and 21, and that claim 13 has been canceled.

II. Claim Rejections under 35 U.S.C. § 102

Claims 1-8, 10-12, 15, 19, 21 and 22 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Brosey (US 6,948,186).

Regarding claim 1, as noted above, this claim been amended so as to substantially incorporate therein the allowable features recited in claim 13. In particular, Applicants note that claim 1 now recites the features of generating stored position information representing a position of the start data stored in the buffer and a count number representing a number of the start data stored in the buffer, as information for identifying the start data in the buffer, based on the analysis result from the header analyzing section and the control by the buffer controlling section; wherein the buffer controlling section compares the count number against a predetermined threshold number and, when the number becomes equal to or greater than the threshold number, outputs a predetermined notification signal, and wherein the decode section reads out the data

from the buffer with a timing of receiving the notification signal.

With respect to the above-noted features, Applicants respectfully submit that while Brosey discloses the use of a new message start pointer (NMSP) that is used to identify the start of a new message in a data stream, that Brosey does not disclose, suggest or otherwise render obvious the above-noted combination of features recited in amended claim 1. Accordingly, Applicants submit that claim 1 is patentable over Brosey, an indication of which is kindly requested.

Regarding claims 2-6 and 10-12, Applicants note that these claims depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

Regarding claims 15 and 19, Applicants note that these claims have been amended in a similar manner as claim 1. In particular, Applicants note that claims 15 and 19 recite the features of an identifying step of generating stored position information representing a position of the start data stored in the buffer and a count number representing a number of the start data stored in the buffer, as information for identifying the start data in the buffer, based on the analysis result from the analysis step and the control from the control step; a step of comparing the count number against a predetermined threshold number and, when the number becomes equal to or greater than the threshold number, outputting a predetermined notification signal; and a reading step of reading out data from the buffer with a timing of receiving the notification signal.

For at least similar reasons as discussed above with respect to claim 1, Applicants respectfully submit that Brosey does not disclose, suggest or otherwise render obvious the above-noted features recited in claims 15 and 19. Accordingly, Applicants submit that claims 15 and 19 are patentable over the cited prior art, an indication of which is kindly requested.

Regarding claim 21, Applicants note that this claim has also been amended in a similar manner as claim 1. In particular, claim 21 now recites the features of a start data identifying section for generating stored position information representing a position of the start data stored in the buffer and a count number representing a number of the start data stored in the buffer, as information for identifying the start data in the buffer, based on the analysis result from the header analyzing section and the control by the buffer controlling section; wherein the buffer controlling section compares the count number against a predetermined threshold number and, when the number becomes equal to or greater than the threshold number, outputs a predetermined notification signal, and wherein the decode section reads out the data from the buffer with a timing of receiving the notification signal.

For at least similar reasons as discussed above with respect to claim 1, Applicants respectfully submit that Brosey does not disclose, suggest or otherwise render obvious the above-noted features recited in amended 21. Accordingly, Applicants submit that claim 21 is patentable over the cited prior art, an indication of which is kindly requested.

III. Claim Rejections under 35 U.S.C. § 103(a)

A. Claim 9 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Brosey (US 6,948,186). As noted above, claim 9 has been canceled by this amendment.

B. Claim 14 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Brosey (US 6,948,186) in view of Fuji (US 2002/0067744).

Claim 14 depends from claim 1. Applicants submit that Fuji fails to cure the deficiencies

of Brosey, as discussed above, with respect to claim 1. Accordingly, Applicants submit that claim 14 is patentable at least by virtue of its dependency.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Shigeo HAYASHI et al.

By: Kenneth W. Fields
Kenneth W. Fields
Registration No. 52,430
Attorney for Applicants

KWF/krq
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
December 9, 2008